

[JOIN OUR MAILING LIST](#)[About Us](#) | [DONATE](#) | [Blog](#) | [Mobile App](#) | [Contact Us](#) | [Mexico Website \(in Spanish\)](#)

REGIONS

ISSUES

[Reports](#) | [Programs](#) | [Initiatives](#) | [News](#) | [Experts](#) | [Events](#) | [Subscribe](#) | [Donate](#)

## FREEDOM IN THE WORLD

2

## Brazil

[Brazil](#) | [Freedom in the World 2014](#)

2014

## OVERVIEW:

More than a million Brazilians took to the streets nationwide in June 2013 to protest poor public services, high taxes and living costs, and political corruption. An increase in bus fares at a time when billions were being spent—often inefficiently—on facilities for the 2016 Olympic Games served as the catalyst for the protests, which were the largest in decades. In response, the government proposed a package of reforms, including an investment of \$23 billion in city transportation and additional spending on health care and education. On June 25, Congress voted to reject a constitutional amendment that would have limited the ability of prosecutors to investigate politicians, which had been a major source of the protesters' anger. Congress also passed a law, previously rejected, that devoted all royalties from new oilfields to education and health care. Despite these measures, President Dilma Rousseff was unable to recover lost public confidence in her presidency, and her approval rating fell from 63 percent to 42 percent in the aftermath of the protests.

Police brutality continued to be a problem in 2013, drawing increased calls for independent civilian oversight over security forces. Although the year's large demonstrations were generally peaceful, police violence increased as smaller and more disruptive protests continued into the fall. Influenced by anarchist groups, these protests featured arson and looting, and the police response included stun grenades and tear gas.

Revelations that the U.S. National Security Agency had been spying on the Brazilian government and Brazil's national oil company, Petrobras, led to a souring of the country's relations with the United States, as well as a renewed push by the Brazilian Congress to pass legislation that would force foreign-based internet companies to store locally gathered information in Brazil.

## 2014 SCORES

STATUS

Free

FREEDOM RATING  
(1 = BEST, 7 = WORST)

2.0

CIVIL LIBERTIES  
(1 = BEST, 7 = WORST)

2

POLITICAL RIGHTS  
(1 = BEST, 7 = WORST)

2

## POLITICAL RIGHTS AND CIVIL LIBERTIES:

**Political Rights:** 33 / 40 [Key]**A. Electoral Process:** 11 / 12

Brazil is governed under a presidential system, and elections are generally free and fair. The president is directly elected for up to two four-year terms. Rousseff, the candidate of the Workers' Party (PT) and the chosen successor of outgoing president Luiz Inácio Lula da Silva, won the 2010 presidential election with 56 percent of the vote, defeating José Serra of the Brazilian Social Democracy Party (PSDB).

In Brazil's bicameral National Congress, the Senate's 81 members serve eight-year terms, with a portion coming up for election every four years, and the 513-member Chamber of Deputies is elected for four-year terms. After the 2010 congressional elections, the PT became the largest party in the lower house, with 87 seats, and in combination with allied parties it controlled well over 300 seats. In the Senate, where two-thirds of the seats were up for renewal, the PT emerged with a total of 14, while its broader coalition secured at least 50. Aside from the PT, the three largest parties are the centrist, PT-allied Brazilian Democratic Movement Party (PMDB), with 78 seats in the lower house and 21 in the Senate; the centrist opposition PSDB, with 54 and 10; and the conservative opposition Democrats (DEM), with 43 and 6. Seventeen other parties are also represented in Congress.

#### **B. Political Pluralism and Participation: 14 / 16**

Brazil has an unfettered multiparty system marked by vigorous competition between rival parties. The electoral framework encourages the proliferation of parties, a number of which are based in a single state. The summer 2013 protests provided a political opening for the rise of additional independent parties.

While the PT has been in power for 12 years, no single force has been able to dominate both the executive and legislative branches in recent years. A 2007 Supreme Court decision outlawed party switching after elections, though lawmakers have continued to switch parties on occasion for financial and other inducements. Accordingly, some parties display little ideological consistency; the sheer number of parties means that the executive branch must piece together diverse coalitions to pass legislation.

#### **C. Functioning of Government: 8 / 12**

In spite of the Rousseff administration's public intolerance of corruption, official graft remains an endemic problem in Brazil. In September 2013, the Supreme Court narrowly ruled to reopen the trial of 25 prominent PT members who were found guilty in 2012 of corruption in a vote-buying scandal, angering those who expected the landmark verdicts and prison sentences to be upheld.

Rousseff maintained her strong stance against corruption in 2013, signing an anti-corruption "Clean Company" law in August. She also promoted legislation that would ban secret voting in Congress—a key demand of the June protesters. That bill was unanimously passed by the Chamber of Deputies in September; a watered-down version passed the Senate in November which bans the secret ballot only in cases of presidential vetoes or stripping a congressperson of his/her seat. Brazil was

ranked 72 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index.

A long-awaited freedom of information act, which covers all branches of government at all levels, went into effect in May 2012, though numerous states and cities had not yet implemented the law by the end of 2013.

## **Civil Liberties: 48 / 60**

### **D. Freedom of Expression and Belief: 15 / 16**

The constitution guarantees freedom of expression, and both libel and slander were decriminalized in 2009. A bill stipulating educational degree requirements for journalists passed the lower house in 2012 and was expected to pass the Senate in 2014. While deemed a threat to freedom of speech by some critics, the legislation was supported by Brazil's principal journalist association.

The press is privately owned, and there are dozens of daily newspapers and a variety of television and radio stations across the country. The print media have played a central role in exposing official corruption. However, journalists—especially those who focus on organized crime, corruption, or human rights violations committed under the military governments that ruled Brazil prior to 1985—are frequently the targets of violence. At least 25 journalists were attacked by police during the first two weeks of the protests in June 2013, and there were also instances of brutality during Pope Francis's visit to Brazil in July.

The judicial branch, particularly judges outside large urban centers, remained active in preventing media outlets from covering numerous stories during 2013, often those involving politicians. In a positive development, the gunman behind the 2010 murder of a radio journalist was convicted in August and sentenced to 27 years in prison.

The government does not impose restrictions on access to the internet. A stalled "internet bill of rights," which would guarantee basic rights for internet users and intermediaries, was revived after the summer 2013 protests, and Congress was reviewing the proposed law at year's end.

The constitution guarantees freedom of religion, and the government generally respects this right in practice. Academic freedom is not restricted.

### **E. Associational and Organizational Rights: 10 / 12**

Freedoms of association and assembly are generally respected, as is the right to strike. The nationwide protests of 2013 were largely peaceful, but they featured several instances of police brutality. Industrial labor unions are well organized, and although they are politically connected, Brazilian unions tend to be freer from political party control than their counterparts in most other Latin American countries. Labor issues are adjudicated in a system of special labor courts. Tens of thousands of workers representing the education, medical, and transportation sectors initiated a one-day

national strike and day of protest across Brazil in July. The generally peaceful protesters, called to action by Brazil's trade union federations, demanded a 40-hour work week and improved working conditions.

#### F. Rule of Law: 10 / 16

Brazil's largely independent judiciary is overburdened and plagued by corruption. The judiciary is often subject to intimidation and other external influences, especially in rural areas, and public complaints over its inefficiency are frequent. Access to justice also varies greatly due to Brazil's income inequality. However, Brazil's progressive 1988 constitution that mandates civic rights such as access to health care has translated into an active judiciary, often ruling in favor of citizens against the state.

During the last ten years, Brazil has maintained an average annual homicide rate of 26 per 100,000 residents, compared with a global average of approximately 7 per 100,000. Impunity and corruption perpetuates a culture of violence in Brazil; violent crime is also related to the illegal drug trade. Highly organized and well-armed drug gangs frequently clash with the military police or with private militias comprising off-duty police officers, prison guards, and firefighters. The long-term presence of special Pacifying Police Units (UPP) has successfully pacified several of the city's dangerous *favelas*, or slums, though the sustainability of this peace remains in question, as does the government's ability to successfully expand the program to other impoverished areas. Moreover, allegations of increased violence by the UPP in 2013 raised concerns about their tactics. In October, a group of 10 officers were charged with killing a suspect who lived in Rio de Janeiro's Rocinho favela, then hiding his body. The suspect was epileptic and allegedly died during an interrogation session in which he was tortured.

Corruption and violence remain entrenched in Brazil's police forces. According to UN figures, more than 2,000 people are killed by the police each year. Torture is used systematically to extract confessions from suspects, and extrajudicial killings are portrayed as shootouts with dangerous criminals. Police officers are rarely prosecuted for abuses, and those charged are almost never convicted. In August 2013, President Rousseff signed a law creating the National Mechanism to Prevent and Combat Torture. The watchdog body will consist of 11 experts with the unprecedented power to visit any civilian or military facility where torture or ill-treatment are documented and ask authorities to initiate investigations in cases of alleged torture. The body will also make policy recommendations aimed at reducing the prevalence of torture. Separately, in a blow against impunity, a court convicted 23 police officers in April for their part in the bloody suppression of a 1992 São Paulo prison riot in which 111 inmates died. The officers were each sentenced to 156 years in prison.

The prison system is anarchic, overcrowded, and largely unfit for human habitation. Brazil's prisons held 550,000 inmates in 2013, representing the world's fourth-largest prison population, and three-quarters more than the system's intended capacity. Overcrowding sometimes results in men and women being held in the same

facilities.

Racial discrimination, long officially denied as a problem in Brazil, began to receive both recognition and remediation after former president Lula took office in 2003. Afro-Brazilians earn less than 50 percent of the average earnings of other citizens, and they suffer from the highest homicide, poverty, and illiteracy rates. The 2010 Statute of Racial Equality recognized the right of *quilombos*—communities of descendants of escaped slaves—to receive title to their land. It also called for the establishment of nonquota affirmative action policies in education and employment, as well as programs to improve Afro-Brazilians' access to health care. In 2013, the first beneficiaries of a 2012 affirmative action law on education began classes. The law requires public universities to reserve half of their admission spots to the mostly poor students attending public schools, as well as to increase the number of students of African descent in accordance with the racial composition of each state.

Brazil's indigenous peoples account for less than 1 percent of the total population. Half of the indigenous population lives in poverty, and most indigenous communities lack adequate sanitation and education services. Unresolved and often violent land disputes between indigenous communities and rural farmers continued in 2013, as landowners often refused to leave their land demarcated for indigenous use under Brazil's constitution. In October 2013, several indigenous groups waged a week-long campaign to demand the demarcation of their territory; approximately 600 demarcation plans were pending at the end of 2013.

While discrimination based on sexual orientation is prohibited by law, violence against members of the LGBT (lesbian, gay, bisexual, and transgender) community remains a problem. Brazil's Supreme Court ruled in May 2011 that gays and lesbians have the right to form civil unions, and that couples in civil unions have the same rights as married couples with regard to alimony, health, and retirement benefits, as well as adoption rights.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

Brazilians generally enjoy freedom of movement and choice of residence, but the owners of large estates control nearly 60 percent of the country's arable land, while the poorest 30 percent of the population hold less than 2 percent. Land invasions are organized by the grassroots Landless Workers' Movement, which claims that the seized land is unused or illegally held. Progress on land reform has been slow, due in part to a strong farm caucus and the economic importance of large-scale agriculture. In May and June 2013, land disputes became particularly violent in the agricultural state of Mato Grosso do Sul. Several Terena Indians were injured, and one was killed, in confrontations with police and farmers over land occupation and forced evictions.

A 2003 legal code made women equal to men under the law for the first time in the country's history. Upon entering office, President Rousseff vowed to push women's rights onto the national and international agenda, and women make up almost a third of her cabinet. The head of Petrobras is the only female head of a major oil company worldwide. Women make up 27 percent of

the senior managers of Brazil's leading companies, compared with a global average of 21 percent. In March 2013, the Senate gave final approval to a constitutional amendment that extended to household workers, many of whom are women, the same rights and duties of all regulated Brazilian workers.

Brazil's law on violence against women is exemplary in the region. Nevertheless, violence against women and children is commonplace, and protective laws are rarely enforced. According to the UN Entity for Gender Equality and the Empowerment of Women (UN Women), a woman is assaulted every 15 seconds in the city of São Paulo. In the first three months of 2013, 1,822 rapes were reported in the state of Rio de Janeiro, and only 70 men were arrested. In August, Rousseff signed a law that allows public health centers to administer emergency-contraception drugs in cases of rape. Abortion is illegal in Brazil, with rare exceptions; approximately one in four women that have illegal abortions each year end up in the hospital due to complications.

Although Brazil abolished slavery in 1888, thousands of rural laborers still work under slavery-like conditions. Landowners who enslave workers face two to eight years in prison, in addition to fines. Measures to fight the impunity of employers, including mobile inspection units and a public "black list" of offending companies and landowners, have proven effective in reducing slave labor in rural Brazil. In May 2012, the Congress passed a constitutional amendment that allows the government to confiscate all property of landholders found to be using slave labor, among other penalties.

Approximately 3.7 million minors work in Brazil, according to a 2011 national survey. The government has sought to address the problem by cooperating with various nongovernmental organizations, increasing inspections, and offering cash incentives to keep children in school. Human trafficking continues from and within Brazil for the purpose of forced labor and commercial sexual exploitation.

**Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

**Full Methodology**

[About us](#)

[Careers](#)

[Contact Us](#)

[Privacy Policy](#)

[Credits](#)

[Sitio de Freedom House México en español](#)

[Freedom House Mexico Website \(in Spanish\)](#)

[Subscribe](#)